

155 PROSPECT AVENUE  
WEST ORANGE, NJ 07052-4204  
TEL. (973) 736-4600 - FAX (973) 243-7892

UNION COUNTY OFFICE  
75 ELIZABETH AVENUE  
ELIZABETH, NJ 07208  
TEL. (908) 353-6764 - FAX (908) 353-8780

MIDDLESEX COUNTY OFFICE  
317 GEORGE STREET, SUITE 440  
NEW BRUNSWICK, NJ 08901  
TEL. (732) 828-0900 - FAX (732) 628-0920

MONMOUTH COUNTY OFFICE  
119 MAPLE AVENUE  
RED BANK, NJ 07701  
TEL. (732) 933-1515 - FAX (732) 933-5551

FLORIDA OFFICE  
10304 CROSBY PLACE  
PORT ST. LUCIE, FL 34968  
TEL. (772) 460-6366 - FAX (772) 460-6357  
E-Mail: rsteinberg\_esc@yahoo.com

NEW YORK CITY OFFICE  
90 JOHN STREET, SUITE 309  
NEW YORK, NY 10038  
TEL. (212) 791-7200 - FAX (212) 791-7276

Website: [www.msgld.com](http://www.msgld.com)  
E-Mail: [sgold@msgld.com](mailto:sgold@msgld.com)

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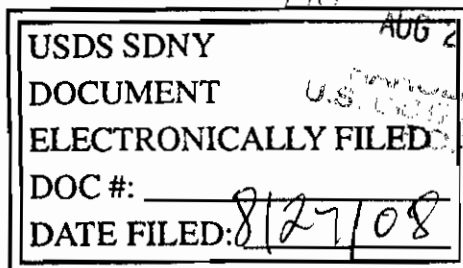
IRVING MANDELBAUM (1906-1993)  
BARRY R. MANDELBAUM  
RICHARD M. SALSBERG  
AVROM J. GOLD  
YALE I. LAZARIS  
JOHN R. DUSINBERRE  
JOSEPH J. DISCENZA  
JOSEPH A. VENA  
LYNNE STROBER  
OWEN T. HUGHES  
RICHARD L. SLAVITT  
CHARLES S. LORBER  
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CRAIG W. ALEXANDER  
WILLIAM S. BARRETT  
DENNIS J. ALESSI  
STUART GOLD  
CHERYL H. BURSTEIN  
ROBIN F. LEWIS  
THOMAS W. ACKERMANN  
SHARON T. JACOBSON  
DAVID S. CARTON  
ARLA D. CAHILL

- COUNSEL -  
ALAN L. SUSSMAN  
LISA FACTOR FOX  
RICKI ANNE SOKOL  
DEAN T. BENNETT  
DAVID A. WARD  
- OF COUNSEL -  
RICHARD H. STEINBERG  
MARK BAUMGARTEN  
MICHAEL SCHLESINGER  
JOSEPH T. MURRAY  
HON. ROBERT A. LONGHI (RET.)  
RICHARD I. SIMON  
CHARLES E. BAXLEY  
JAMES F. BAXLEY  
- ASSOCIATES -  
MANUEL R. GROVA, JR.  
DEBORAH A. CONCEPCION  
GARY S. POPLASKI  
OWEN J. LIPNICK  
PHILLIP G. RAY  
YANET P. NOBLE  
SHARMILA D. IAZZETTI  
JUSTIN S. BLACK  
ALONA MAGIDOVA  
ANDREA L. ALEXANDER  
LANCE N. OLITT  
PETER H. TANELLA  
WHITNEY G. FISHER  
LAUREN BETTMAN GERSHENGORN  
CHRISTOPHER M. ERB  
CASEY L. CARHART  
♦ FELLOW OF THE AMERICAN ACADEMY OF MATRIMONIAL LAWYERS  
♦ CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A CERTIFIED CIVIL TRIAL ATTORNEY  
♦ CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS A CERTIFIED MATRIMONIAL LAW ATTORNEY  
♦ COURT APPOINTED MEDIATOR  
1 MEMBER OF NJ & PA BAR  
2 MEMBER OF NJ & FL BAR  
3 MEMBER OF NJ & NY BAR  
4 MEMBER OF NJ & MA BAR  
5 MEMBER OF NJ, NY & CA BAR  
▼ REGISTERED U.S. PATENT ATTORNEY  
6 MEMBER OF NJ, NY & F.A. BAR  
7 MEMBER OF NJ, NY & C. C. BAR  
8 MEMBER OF NJ & ILL. BAR  
9 MEMBER OF NY BAR

August 21, 2008

VIA FEDERAL EXPRESS

Honorable Harold Baer, Jr.  
United States District Court  
for the Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007



Re: Accounts Receivable Management v. Cabrini Medical Center  
Civil Action No. 08cv0482

Dear Judge Baer:

I am writing on behalf of plaintiff to request a conference to resolve an outstanding discovery dispute.

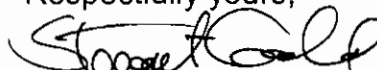
The deadline for completing fact discovery is December 31, 2008. On May 23, 2008 I sent defendant's attorney a set of basic interrogatories, a document request and a deposition notice for two of its employees, Jeanne Haas and Peter Buscemi. Defendant's responses to the interrogatories and the document request were due on June 26, 2008; the depositions were scheduled for early July. I consented to the request by defendant's for an extension of time to respond to the discovery until July 17, 2008. She advised me that the two employees were no longer with defendant. I asked her to provide me with their current addresses so I could subpoena them. I also asked her to have defendant identify a current employee who could be produced for a deposition.

Honorable Harold D. Baer, U.S.D.J.  
August 21, 2008  
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On July 18, 2008, defendant's counsel asked for an additional extension, to July 30, 2008. I agreed but advised her that I would not consent to any further extensions. I was leaving for vacation on August 5, 2008 and wanted to have defendant's discovery responses in hand before I left. It is now August 21, 2008 and I have yet to receive any discovery from defendant.

I have exhausted my efforts to resolve this discovery issue by negotiating with defendant's counsel. I am requesting that the Court schedule a conference at its earliest convenience so that there is an order setting the date by which defendant must respond to the long overdue discovery.

Respectfully yours,

  
Stuart Gold

cc: Caroline Prucnal Wallitt, Esq. - Via Federal Express

*This is precisely what I leave about adjournments for any length of time. This is fine for me w/ any response from D w/in 10 days to impose if appropriate. Rule 37 sanctions if the discovery is not produced w/in 5 days after I decide the issue. I'll accept if any letter from Calirani I don't hear from them you may submit an order pursuant to Rule 37 sent 8/21/08.*

*Harold Baer, Jr., U.S.D.J.*  
8/27/08

Endorsement:

This is precisely why I worry about adjournments for any length of time. This is enough for me with any response from defendant within 10 days to impose if appropriate Rule 37 sanctions if the discovery is not produced within 5 days after I decide the issue, i.e., after receipt of any letter from Cabrini. If I don't hear from them you may submit an order pursuant to Rule 37 September 8, 2008.